

Rules of Procedure Complaints Procedure in accordance with the Supply Chain Due Diligence Act

As a result of the German Act on Corporate Due Diligence Obligations in Supply Chains (Lieferkettensorgfaltspflichtengesetz - LkSG), HOCHBAHN will be obliged to ensure human rights and environmental due diligence obligations in an appropriate manner in its supply chains and its own business operations as of January 2023.

According to § 8 of the LkSG, a complaints procedure must be established. The procedure enables internal and external persons to report human rights and environmental risks and violations of human rights-related or environment-related obligations.

This document describes in more detail HOCHBAHN's complaints procedure in accordance with the LkSG.

1. For what kind of complaints or reports can the procedure be used?

In the case category "Violation of human rights and environmental obligations or related risks", complaints and information on the following risks or violations of obligations can be reported.

Human rights risks or violations: Child labor, forced labor and all forms of slavery, disregard for occupational health and safety and work-related health hazards, disregard for freedom of association, unequal treatment, withholding of fair wages, destruction of vital natural resources through environmental pollution, violation of land rights, use of private or public security forces without an adequate command structure or proper oversight to prevent harm, any other behavior, by action or omission, in breach of a duty to act, which is directly interferes with a protected legal position.

Environmental risks or violations: Failure to comply with prohibitions for the protection of the environment (Minamata Convention, Stockholm Convention, POPs Convention, Basel Convention).

Complaints and reports refer to risks or violations that have arisen as a result of the economic activities of HOCHBAHN including its subsidiaries in its own business area or of a direct or indirect supplier.

2. Which complaint channels can be used to bring information or complaints into the procedure?

The central channel for complaints and reports is an electronic whistleblowing system. This can be accessed online via the following link and can be used free of charge by whistleblowers: [BKMS system HOCHBAHN](#).

External persons are informed about this on the HOCHBAHN homepage. HOCHBAHN employees are also informed about the existing complaints channel via the internal portal.

3. How does the complaints procedure work?

Complaints and reports are submitted by the whistleblowers in the electronic whistleblowing system in German or English ([BKMS system HOCHBAHN](#)). The whistleblowers receive an acknowledgement of receipt if they have entered contact details in the whistleblowing system in order to remain in anonymous contact with the person handling the information.

3.1 The Clearing Office and its tasks

Information submitted via the electronic whistleblowing system first reaches the so-called "clearing office". This is set up at a law firm commissioned by HOCHBAHN. The law firm provides two people to handle the tasks of the clearing office.

The clearing office has the task of cursorily examining whether a report falls into the case category "violation of human rights and environmental obligations or related risks". The clearing office clarifies the facts by asking the whistleblowers to such an extent that it can be determined whether there is a concrete initial suspicion of a violation of human rights and/or environmental obligations or a corresponding risk within the meaning of the LkSG. If the clearing office's examination does not reveal any concrete initial suspicion, the proceedings will be terminated, and the whistleblower will be informed. No other persons will be informed about the facts described in the report.

If the clearing office comes to the conclusion that there is a concrete initial suspicion of a violation of human rights and/or environmental obligations or such a risk, the case, including further information available to the clearing office, is forwarded to the responsible internal officers at HOCHBAHN. Further processing and clarification is then carried out within HOCHBAHN by the Human Rights Officer and their representative.

The procedure at the clearing office is completed with the announcement of the audit result to the whistleblower or the forwarding of the case to the internal representatives at HOCHBAHN.

3.2 HOCHBAHN internal representatives and their tasks

The Human Rights Officer and his/her representative work in the Sustainability Management department of HOCHBAHN. The persons entrusted by HOCHBAHN with processing the report can act independently and impartially and are not bound by instructions. They are also bound to secrecy.

If the initial suspicion is substantiated by further processing by HOCHBAHN's internal officers and a violation is identified in the company's own business area, remedial action is taken with the involvement of the relevant internal departments to immediately end the risk or violation and prevent it from recurring.

If the report or complaint relates to a direct supplier, the responsible purchasers will contact the supplier and discuss the matter with the supplier. If the initial suspicion is confirmed, a concept for ending or minimising the violation is drawn up and implemented with the involvement of HOCHBAHN's purchasing department and the supplier. The same procedure applies in the event of indications or violations at an indirect supplier.

The whistleblower will be contacted by the human rights officer or her/his representative for further enquiries, if necessary, and informed about the processing of the case and the outcome. The duration of the procedure may vary depending on the scope and complexity of the complaint.

3.3 Effectiveness of the complaint procedure

This procedure is reviewed for effectiveness at least once a year or on an ad hoc basis. If necessary, adjustments are made to the procedure or corrective measures are taken.

4. How is effective protection of anonymity and against disadvantage or punishment based on a complaint ensured?

Protection of anonymity

The whistleblower system is administered online via a standardized system with a high level of data and access security. The system is technically designed in such a way that there is no possibility for HOCHBAHN, its employees or the clearing office to identify the

whistleblowers. The processing is carried out via external servers of a third-party provider, which are operated at a location known only to this provider and corresponds to the highest security class.

The clearing office and, after the release of reports, also the internal officers are technically able to communicate with the whistleblowers via the system while maintaining anonymity. In this way, further questions of clarification can be asked if necessary. Whistleblowers also have the option of consciously opting out of anonymity.

Protection of own employees

The internal company agreement on the whistleblower system states that whistleblowers may not be personally or legally disadvantaged because they have reported an LkSG-relevant grievance. Similarly, reports against employees that have turned out to be without substance may not lead to personal or legal disadvantage for the person falsely reported. Personal data may be stored or retained for a maximum period of three years.